

# 28

Patent  
Attorney's Docket No. 032491-013  
(Previously Attorney Docket No. 999/002 USA and/or CA-5740)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Wayne A. Noda, et al. )  
Application No.: 09/133,813 )  
(Now U.S. Patent No. 6,338,727) )  
Filed: August 13, 1998 )  
(Patent Issued on January 15, 2002) )  
For: INDWELLING HEAT EXCHANGE )  
CATHETER AND METHOD OF USING )  
SAME )

**RECEIVED**  
**MAR 03 2004**  
**OFFICE OF PETITIONS**

**PETITION TO CORRECT ASSIGNEE UNDER 37 C.F.R. §1.183**

**MAILSTOP DAC**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby respectfully petitions the Commissioner of Patents of the U.S. Patent and Trademark Office for correction of the names of assignees of the above-identified application to be granted pursuant to 37 C.F.R. §1.183.

A fee in the amount of \$130.00 in accordance with 37 C.F.R. §1.17(h) accompanies this Petition.

Applicant respectfully requests that 37 C.F.R. §3.81(a) be waived to permit the correct names of the assignees to be provided after issuance of the patent.

Applicant hereby states that the failure to include both names of assignees on form PTOL-85B (Issue Fee(s) Transmittal), submitted on October 15, 2001, was inadvertent.

03/02/2004 HHBDELRI 00000149 6338727 130.00 OP  
01 FC:1460

The correct names and addresses of the assignees are as follows:

Alsius Corporation  
15770 Laguna Canyon Road  
Suite 150  
Irvine, California 92618

The Regents of the University of California  
1111 Franklin Street  
12<sup>th</sup> Floor  
Oakland, California 94507-5200

Copies of the Notice(s) of Recordation and the Assignments are attached hereto. As indicated on the copy(ies) of the Notice(s) of Recordation, the Assignments were recorded on June 5, 2003 and May 30, 2003 at Reel 014138, Frame 0472; and Reel 014138, Frame 0477; respectively.

Upon granting of the Petition to Correct Assignee, Applicant request that the file be forwarded to the Certificate of Correction Branch for issuance of a Certificate of Correction to correct the Assignee.

A request for Certificate of Correction requesting correction of the names of assignees is submitted concurrently herewith.

It is believed that all requirements for correction of the names of the assignees for the above-referenced patent have been submitted herewith, and it is respectfully requested that the Commissioner of Patents grant this Petition. However, if any matters need to be further addressed, please contact the undersigned at the telephone number and/or address indicated below.

Respectfully submitted,  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

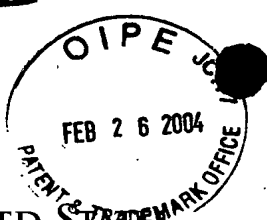
Date: February 25, 2004

By: 76 M. 2  
Kirk M. Nuzum  
Registration No. 38,943

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300



UNITED STATES  
PATENT AND  
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MAR 03 2004  
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NOVEMBER 19, 2003

PTAS

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
KIRK M. NUZUM  
P.O. BOX 1404  
ALEXANDRIA, VA 22313-1404

Chief Financial Officer and Chief Administrative Officer  
Washington, DC 20231  
www.uspto.gov



\*102468382A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/30/2003

REEL/FRAME: 014138/0477  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GOBIN, YVES PIERRE

DOC DATE: 06/26/2000

ASSIGNEE:

REGENTS OF THE UNIVERSITY OF  
CALIFORNIA, THE  
1111 FRANKLIN STREET  
12TH FLOOR  
OAKLAND, CALIFORNIA 94607-5200

SERIAL NUMBER: 09133813  
PATENT NUMBER: 6338727

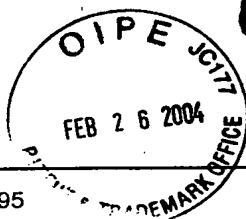
FILING DATE: 08/13/1998  
ISSUE DATE: 01/15/2002

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

032491-0

Alsius Corp.  
KS

BURNS, DOANE, SWECKER & MATHIS, L.L.P. RECEIVED
NOV 21 2003 11-2403
DOCKETED <i>CR</i>



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MAR 03 2004

## OFFICE OF PETITIONS

FORM PTO-1595  
(Rev. 6/93)

06-10-2003

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ER SHEET

102468382

Attorney's Docket No. 032491-013

(Previously Attorney Docket No. 999/002 USA and/or CA-5740)

To the Director of the United States Patent and Trademark Office. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Yves Pierre Gobin

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment  
☐ Security Agreement☐ Merger  
☐ Change of Name

Other: \_\_\_\_\_

Execution Date: 06/26/2000

## 2. Name and address of receiving party(ies):

Name: The Regents of the University of California

Address: 1111 Franklin Street, 12th Floor

Oakland, CA 94607-5200

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

09/133,813

## B. Patent No.(s)

6,338,727

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Kirk M. Nuzum

Address: BURNS, DOANE, SWECKER &amp; MATHIS, L.L.P.

P.O. Box 1404

Alexandria, Virginia 22313-1404

## 6. Total number of applications and patents involved: 2

## 7. Total fee (37 CFR § 3.41): \$40.00

☒ Enclosed☒ Authorized to be charged to deposit account, if necessary

## 8. Deposit account number:

02-4800

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kirk M. Nuzum, Registration No. 38,983

Name of Person Signing

76 m. 2

Signature

5-30-2003

Date

Total number of pages including cover sheet, attachments, and document: 2

Mail documents to be recorded with required cover sheet information to:

Director of the United States Patent and Trademark Office  
Mail Stop Assignment Recordation Services  
P.O. Box 1450  
Alexandria, VA 22313-1450

06/09/2003 ECOOPER 00000213 024800 09133813

01 FC:8021 40.00 CH 40.00 DP

**ASSIGNMENT**

U.C. Case No. 1999-501-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

I. Yves Pierre Gobin

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin Street, 12<sup>th</sup> Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

**INDWELLING HEAT EXCHANGE CATHETER AND METHOD OF USING SAME**

and which is found in

- (a) \_\_\_\_\_ U.S. application filed herewith and listing the above named persons as inventors
- (b) \_\_\_\_\_ Patent application filed herewith and listing the above named persons as inventors
- (c)   X   U.S. application serial no. 09,133,813, filed 8/13/98.
- (d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

26 day of June, 2000

Signature of Inventor(s)

[Signature]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

Wayne A. Noda, et al.

Patent No.: 6,338,727

Issued: January 15, 2002

For: INDWELLING HEAT EXCHANGE  
CATHETER AND METHOD OF USING  
SAME

**RECEIVED**

**MAR 03 2004**

**OFFICE OF PETITIONS**

**REQUEST FOR CERTIFICATE OF CORRECTION AND SUBMISSION OF PETITION**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Issuance of a Certificate of Correction for the above-captioned patent is respectfully requested in accordance with the accompanying Form PTO-1050 (submitted in duplicate).

[X] The requisite Government fee of \$100.00 (1811) for the Certificate of Correction is submitted herewith;

A Petition to Correct Assignee Under 37 C.F.R. §1.183 and supporting documents are submitted with this Request for Certificate of Correction.

[X] A fee in the amount of \$130.00 for the Petition to Correct Assignee is submitted herewith.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.116, 1.117, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: February 25, 2004

By: Kirk M. Nuzum

Kirk M. Nuzum  
Registration No. 38,983  
Redwood Shores, California Office  
(650) 622-2300

P.O. Box 1404  
Alexandria, Virginia 22313-1404

(05/03)

03/02/2004 WABDELRI 00000149 6338727

02 FC:1811

100.00 DP

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,338,727  
DATED : January 15, 2002  
INVENTOR(S) : Wayne A. Noda, et al.

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

**Assignee**

The names of assignees are as follows:

Alsius Corporation, Irvine, CA (USA)  
The Regents of the University of California, Oakland, CA (USA)

MAILING ADDRESS OF SENDER:

Kirk M. Nuzum  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

PATENT NO. 6,338,727

No. of additional copies



SEND TO: Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Kirk M. Nuzum  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

PATENT NO. 6,338,727

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Kirk M. Nuzum  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

PATENT NO. 6,338,727

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**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 6338727 *BL*

APPLICATION NO.: 09/133813

ISSUE DATE : January 15, 2002

INVENTOR(S) : Noda et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

*TITLE PAGE, ITEM*  
On the ~~cover sheet, block~~ 73, after "Alsius Corporation, Irvine" and before "CA (US)" add -The Regents of the University of California, both of -.

**MAILING ADDRESS OF SENDER (Please do not use customer number below):**

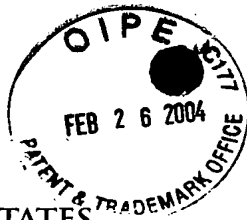
750 B Street, Suite 3120  
San Diego, CA 92101

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*



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NOVEMBER 19, 2003

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BURNS, DOANE, SWECKER, ET AL  
KIRK M. NUZUM  
P.O. BOX 1404  
ALEXANDRIA, VA 22313-1404

Chief Financial Officer and Chief Administrative Officer  
Washington, DC 20231  
www.uspto.gov



\*102468383A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 06/05/2003

REEL/FRAME: 014138/0472  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NODA, WAYNE A.

DOC DATE: 02/07/2000

ASSIGNOR:

JONES, MIKE L.

DOC DATE: 02/07/2000

ASSIGNOR:

EVANS, SCOTT M.

DOC DATE: 02/07/2000

ASSIGNOR:

WALKER, BLAIR D.

DOC DATE: 02/07/2000

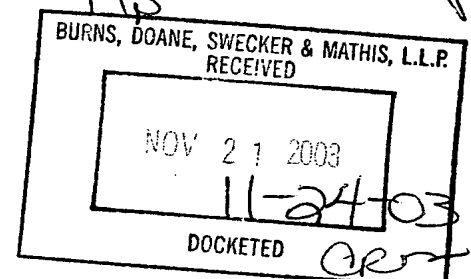
ASSIGNOR:

WORTHEN, WILLIAM J.

DOC DATE: 02/07/2000

ASSIGNEE:

ALSIUS CORPORATION  
15770 LAGUNA CANYON ROAD, SUITE  
150  
IRVINE, CALIFORNIA 92618

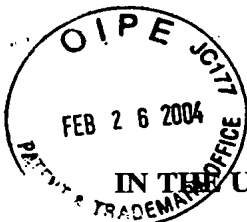


014138/0472 PAGE 2

SERIAL NUMBER: 09133813  
PATENT NUMBER: 6338727

FILING DATE: 08/13/1998  
ISSUE DATE: 01/15/2002

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



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